

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

MELISSA HARDAN,

**Plaintiff,**

V.

NYE COUNTY SHERIFF'S OFFICE, et al.

## Defendants.

Case No. 2:15-cv-00470-GMN-PAL

## ORDER

(Mot Stay – ECF No. 53)  
(Mot WD Atty – ECF No. 54)

12 Before the court is counsel for plaintiff Potter Law Offices' Motion to Withdraw as  
13 Counsel and Stay Proceedings (ECF Nos. 53, 54). The court has reviewed the motions, and  
14 defense counsel's Responses (ECF Nos. 55, 56). The motion represents that plaintiff's counsel  
15 recently had brain surgery, and is temporarily physically unable to practice law, and cannot  
16 continue representation in this matter. There are only two attorneys in the law firm, and his  
17 associate who is his son is unable to continue representing the plaintiff. As such, the firm seeks  
18 leave to withdraw as counsel of record.

19       Mr. Potter also requests a stay of the scheduling deadlines in order for plaintiffs to obtain  
20 new counsel. Although defendants do not oppose a stay for a reasonable amount of time, they  
21 request that the stay be entered only after the court has ruled on the pending motions for summary  
22 judgment. The district judge entered an Order (ECF No. 57) September 28, 2017, granting in part  
23 and denying in part defendants' motion for summary judgment, denying plaintiff's partial motion  
24 for summary judgment, and referring the case to the undersigned for a settlement conference. A  
25 review of the docket shows that the only deadline remaining is the date for filing the joint pretrial  
26 order.

1 Having reviewed and considered the matter, and for good cause shown, the court will grant  
2 a 60-day stay of the case to give plaintiff time to retain new counsel. The court will also set a deadline  
3 for filing the joint pretrial order, and schedule a mandatory settlement conference.

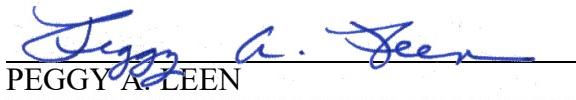
4 **IT IS ORDERED** that:

- 5 1. The Motion to Withdraw (ECF No. 54) is **GRANTED**.  
6 2. Plaintiff shall have until **December 18, 2017**, in which to retain substitute counsel who  
7 shall make an appearance in accordance with the requirements of the Local Rules of  
8 Practice, or file a notice with the court that she will be appearing in this matter *pro se*,  
9 that is, representing herself.  
10 3. The clerk of the court shall serve the plaintiff with a copy of this order at her last known  
11 address:

12 Melissa Hardan  
13 1450 E. Casey  
Pahrump, NV 89048

- 14 4. The Motion to Stay (ECF No. 53) is **GRANTED**, to the extent the case is stayed until  
15 December 13, 2017.  
16 5. The deadline for filing the joint pretrial order is extended to **January 17, 2018**. The  
17 disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections thereto, shall be  
18 included in the pretrial order.  
19 6. A mandatory settlement conference is set for **9:30 a.m., February 21, 2018**. A  
20 separate order will be entered with specific instructions for the settlement conference.

21 DATED this 18th day of October, 2017.

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PEGGY A. SEER  
24 UNITED STATES MAGISTRATE JUDGE  
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